

May 30, 2011

Attn: Hon. Richard L. Sippel, Chief Administrative Law Judge
The Commission

Today, the email attached hereto, an email from Warren Havens to Mary Gosse (for the Hon. Richard L. Sippel) at the FCC dated May 27, 2011, is being filed in the following dockets and under the following File No.:

1. EB Docket No. 11-71
2. WTB Docket No. 10-83
3. File No. 0002303355

Sincerely,

/s/

Jimmy Stobaugh
On behalf of:

Warren Havens, Individually and as President of:
Skybridge Spectrum Foundation
ATLIS Wireless LLC
V2G LLC
Environmental LLC
Verde Systems LLC
Telesaurus Holdings GB LLC
Intelligent Transportation & Monitoring Wireless LLC
2509 Stuart Street
Berkeley, California 94705
510 841 2220
510 848 7797

Subject: Havens, Skybridge et al: substitute counsel issue in OSC hearing under FCC 11-64

Date: Friday, May 27, 2011 3:45:11 PM PT

From: Warren Havens <warren.havens@sbcglobal.net>

To: Mary Gosse <Mary.Gosse@fcc.gov>

CC: "Albert J. Catalano" <ajc@catalanoplache.com>, "Charles A. Zdebski" <czdebski@eckertseamans.com>, "Eric J. Schwalb" <eschwalb@eckertseamans.com>, Gary Schonman <Gary.Schonman@fcc.gov>, "Harry F. Cole" <cole@fhhlaw.com>, Jack Richards <richards@khlaw.com>, "Jeffrey L. Sheldon" <jsheldon@fr.com>, Jimmy <jstobaugh@telesaurus.com>, "Kurt E. DeSoto" <kdesoto@wileyrein.com>, Mark Griffith <mgriffith@telesaurus.com>, "Matthew J. Plache" <mjp@catalanoplache.com>, Pamela Kane <Pamela.Kane@fcc.gov>, "Patricia J. Paoletta" <tpaoletta@wiltshiregrannis.com>, "Paul J. Feldman" <feldman@fhhlaw.com>, "Robert J. Miller" <rmiller@gardere.com>, "Robert M. Gurs" <gurs@fhhlaw.com>, "tdamari@nossaman.com" <tdamari@nossaman.com>, Terry Cavanaugh <Terry.Cavanaugh@fcc.gov>, Wes Wright Cc: Justin Ross <wright@khlaw.com>, Richard Sippel <Richard.Sippel@fcc.gov>, jstobaugh@telesaurus.com <jstobaugh@telesaurus.com>, Warren Havens <warren.havens@sbcglobal.net>

To: Mary Gosse <Mary.Gosse@fcc.gov>
(for Honorable Richard L. Sippel, Administrative Law Judge, FCC)

cc: "Albert J. Catalano" <ajc@catalanoplache.com>, "Charles A. Zdebski" <czdebski@eckertseamans.com>, "Eric J. Schwalb" <eschwalb@eckertseamans.com>, Gary Schonman <Gary.Schonman@fcc.gov>, "Harry F. Cole" <cole@fhhlaw.com>, Jack Richards <richards@khlaw.com>, "Jeffrey L. Sheldon" <jsheldon@fr.com>, Jimmy <jstobaugh@telesaurus.com>, "Kurt E. DeSoto" <kdesoto@wileyrein.com>, Mark Griffith <mgriffith@telesaurus.com>, "Matthew J. Plache" <mjp@catalanoplache.com>, Pamela Kane <Pamela.Kane@fcc.gov>, "Patricia J. Paoletta" <tpaoletta@wiltshiregrannis.com>, "Paul J. Feldman" <feldman@fhhlaw.com>, "Robert J. Miller" <rmiller@gardere.com>, "Robert M. Gurs" <gurs@fhhlaw.com>, "tdamari@nossaman.com" <tdamari@nossaman.com>, Terry Cavanaugh <Terry.Cavanaugh@fcc.gov>, Wes Wright <wright@khlaw.com>

Cc: Justin Ross <Justin.Ross@fcc.gov>, Richard Sippel <Richard.Sippel@fcc.gov>

The below is to advise your office and the ALJ in this matter, Mr. Sippel, of our situation regarding the matters of the preceding email exchange contained below.

We have not heard from the Nossaman firm yet regarding our email of yesterday, immediately below. We will advise once we obtain that (as part of our formal filing noted below).

I am forwarding the below, as I indicated to the Nossaman firm below, as an appropriate interim filing, by end of this week, to show that I and my companies are working on this matter. In addition to the below request to Nossaman, I have been interviewing law firms that are potential substitute counsel.

Also, for convenience (and for other Parties to have the record), Mr. Stobaugh's email, which was *not a substantive request but a request for advice* on procedure (since we have no legal counsel at that time, since Nossaman has ceased acting as adviser or representative on this matter). We appreciate your general advice on that matter.

My office will file a PDF copy email string in the docket.

I do not plan to mail this out, since it is procedural in nature and not, in my understanding, an ex parte "presentation" or otherwise a filings that requires mail service.

When my companies seek additional time to obtain substitute counsel, which we expect to file soon (some day next week), we will submit that in a form filing with caption, and with mail service and certificate attached. We do not want to submit that until we get the response from Nossaman and we have a better idea of what is involved in getting new counsel after further initial inquires and interviews.

Sincerely,

President

Skybridge Spectrum Foundation

ATLIS Wireless LLC

V2G LLC

Environmental LLC

Verde Systems LLC

Telesaurus Holdings GB LLC

Intelligent Transportation & Monitoring Wireless LLC

Berkeley California

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510 841 2220 x 30

510 848 7797 -direct

Sincerely,
Warren Havens

From: Warren Havens <warren.havens@sbcglobal.net>
To: Tamir D Damari <tdamari@nossaman.com>; "PRichard@Nossaman.com" <PRichard@Nossaman.com>
Cc: Kurt W Melchior <kmelchior@nossaman.com>; Jimmy Stobaugh <jstobaugh@telesaurus.com>; Warren Havens <warren.havens@sbcglobal.net>
Sent: Thursday, May 26, 2011 11:59 AM
Subject: Filing with FCC in OSC, re Nossaman conflict, withdrawal

Tamir Damiri,
Patrick Richard
Nossaman LLP

In accordance with the below email from Ms. Grosse, writing for the ALJ (responding to Mr. Stobaugh's email below that), please submit the appropriate filing given your firm's representation of Los Angeles County and consequent conflict determination (in the memo from Mr. Melchior), and prior withdrawal (at point of the SCRRRA Notice of Appearance) from representing my companies (listed below) in this OSC matter with regard to SCRRRA and the other parties and Applications captioned in the OSC. As you know, for my companies and myself, I did not independently grasp or confirm your determination's facts and law, nor did I seek the withdrawal but instead attempted to have your firm not withdraw.

Due to the complexity and magnitude of this OSC matter (20 Applications and other parties involved, with the FCC Enforcement Bureau in addition, etc.), I believe my companies need over a month of time to interview and find a suitable replacement firm among the limited communications-practice firms. That cannot be done without merit, conflict and other analysis, and review of substantial materials (the OSC resulted from six years of previous proceedings). We also are time constrained in this task, including due to our acting on our own in this OSC matter after your firm's withdrawal.

Since this OSC is time sensitive, I request that this is done as soon as possible.

If for any reason I do not obtain a response from you by mid day tomorrow, then I may submit an appropriate filing, attaching this request.

If you need to request any permission of your client, Los Angeles County, to submit this requested filing that may be construed as against their interest, and have not yet done that, then please do that and attach the communications. Also, please attach the communication from Los Angeles County that I understand you have which denied providing to your firm a conflict waiver, or if that was oral, then please get that in writing so it can be documented.

Sincerely,

Warren Havens
Individually and as
President
Skybridge Spectrum Foundation
ATLIS Wireless LLC
V2G LLC
Environmental LLC
Verde Systems LLC
Telesaurus Holdings GB LLC
Intelligent Transportation & Monitoring Wireless LLC
Berkeley California
www.scribd.com/warren_havens/shelf
510 841 2220 x 30

From: Mary Gosse <Mary.Gosse@fcc.gov>
Date: Wed, 25 May 2011 15:25:52 -0400
To: "Albert J. Catalano" <ajc@catalanoplache.com>, "Charles A. Zdebski" <czdebski@eckertseamans.com>, "Eric J. Schwalb" <eschwalb@eckertseamans.com>, Gary Schonman <Gary.Schonman@fcc.gov>, "Harry F. Cole" <cole@fhhlaw.com>, Jack Richards <richards@khlaw.com>, "Jeffrey L. Sheldon" <jsheldon@fr.com>, Jimmy <jstobaugh@telesaurus.com>, "Kurt E. DeSoto" <kdesoto@wileyrein.com>, Mark Griffith <mgriffith@telesaurus.com>, "Matthew J. Plache" <mjp@catalanoplache.com>, Pamela Kane <Pamela.Kane@fcc.gov>, "Patricia J. Paoletta" <tpaoletta@wiltshiregrannis.com>, "Paul J. Feldman" <feldman@fhhlaw.com>, "Robert J. Miller" <rmiller@gardere.com>, "Robert M. Gurss" <gurss@fhhlaw.com>, "tdamari@nossaman.com" <tdamari@nossaman.com>, Terry Cavanaugh <Terry.Cavanaugh@fcc.gov>, Wes Wright <wright@khlaw.com>
Cc: Justin Ross <Justin.Ross@fcc.gov>, Richard Sippel <Richard.Sippel@fcc.gov>
Subject: FCC/OALJ Response

RE: EB Docket No. 11-71
Maritime Communications/Land Mobile

Subject: Mr. Jimmy Stobaugh e-mail dated 5/24/11

Mr. Stobaugh:

The Chief Judge has assigned your informal request to me for review and reply. For reasons stated below, and after consultation with the Chief Judge, your request must be denied.

Under the Rules of Practice and Procedure, the procedure for requesting an extension of time is by petition or motion setting forth grounds for relief. See 47 C.F.R. §§1.45(d), 1.46(a), 1.49(a). Informal requests via email may not be granted. Also, proper procedures require that the moving party serve copies of the motion on all parties, including Enforcement Bureau. Furthermore, sufficient cause has not been shown to extend the previously set conference date of June 15, 2011 to a later date merely to obtain new counsel, particularly where there is a qualified attorney capable of finding substitute counsel for purpose of appearing at a conference. The conference is primarily being held to set a schedule for discovery and hearing. No substantive issues will be resolved. It is not unreasonable to expect parties to find new counsel by the conference date of June 15, which is about three weeks away.

Also, it is probable that Mr. Stobaugh and current counsel knew of the disqualifying circumstance some time before the date of the email. It would be appropriate under these circumstances for counsel to file its own motion for leave to withdraw, reflecting that counsel will be diligent in assisting the client, Mr. Stobaugh, et al., in continuing representation while assisting in obtaining substitute counsel as opposed to an abrupt withdrawal. See 47 C.F.R. §1.243 (Authority of presiding judge).

Justin Ross
Law Clerk to Chief Judge
FCC/OALJ
Washington, D.C.
202 418-2280
FAX: 202 418-0195
E-Mail: Justin.ross@fcc.gov

From: Jimmy <jstobaugh@telesaurus.com>
Date: Tue, 24 May 2011 14:18:51 -0700
To: <richard.sippel@fcc.gov>
Cc: Jimmy <jstobaugh@telesaurus.com>, Warren Havens <warren.havens@sbcglobal.net>
Subject: Re: Order to Show Cause, FCC 11-64, released April 19, 2011

To: Honorable Richard L. Sippel, Administrative Law Judge, FCC

Re: Order to Show Cause..., FCC 11-64, released April 19, 2011, re: Maritime Communications/Land Mobile LLC et al. (the "OSC")

Honorable Richard L. Sippel,

All the below-listed entities are parties to the OSC matter (the "Parties"). The Nossaman LLP law firm filed the Notice of Appearance for the Parties. In recent several days, firming up only today, Nossaman LLP informed the Parties that it has a conflict precluding it from continuing to advise or represent the Parties in the OSC matter. Nossaman LLP is counsel to Los Angeles County that is one of the governmental agencies under which Southern California Regional Railroad Authority ("SCRRA") operates. Nossaman may also represent SCRRA directly, however, Nossaman has not given the parties details other than it represents Los Angeles County. The Parties have commenced seeking substitute counsel, and once the Parties find appropriate counsel getting them up to speed regarding the various applications and other background of the OSC matter. That will take substantial time. The Parties intend to file a request to extend all of the due dates in the OSC matter for themselves and any scheduled proceeding matters including the June 15th hearing.

Also, Parties calculate that opposition(s) that the Parties may file regarding the SCRRA May 9th filing (a certain showing/motion under Footnote 7 of the OSC) appears to be due today. It will not be possible for any of the Parties to properly file such an opposition today given that Nossaman LLP suspended its service to the Parties regarding the OSC matter several weeks ago when it obtained a copy of the SCRRA Notice of Appearance. Nossaman LLP then undertook a conflict analysis with regard to the firm representing Los Angeles County (see above). Nossaman informed us that it would seek a waiver from Los Angeles County. As indicated above, only in the recent several days did Nossaman LLP give us its conclusion that it must cease services to the Parties with regard to the OSC matter.

Because of the due date today, we would appreciate it if you could give us a call (see below phone numbers), and provide information as to appropriate procedures given the above situation, including the apparent opposition due date of today.

I will also send a copy of this email to the fax number listed for you in the OSC matter.

Sincerely,

Jimmy Stobaugh, GM

For Warren Havens, Individually and President of the following entities:

Skybridge Spectrum Foundation

Environmental LLC

Intelligent Transportation & Monitoring Wireless LLC

Verde Systems LLC

Telesaurus Holdings GB LLC

V2G LLC

Cc: Warren Havens